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Hush, Hush

The spy who came in and told

At issue in an Alexandria, Va., courtroom last week was whether top CIA officials could hold an ex-spy to his written agreement to let them censor anything that he wrote about his undercover experiences. Testified CIA Director Stansfield Turner: "If he is able to get away with this, it will prove to other people that we have no control." In other words, the agency wanted to chill into silence other potential telltale spooks.

The case involved Frank Snepp, who spent eight years with the CIA, 4½ of them in Viet Nam. Last November he published a minutely detailed, 580-page book, *Decent Interval*, in which he charged the CIA with "a failure of judgment at the highest levels" for not trying to evacuate all of its Vietnamese agents before Saigon fell to the Communists. Snepp disclosed no secrets in his book. But by not letting it be reviewed before publication, the CIA claimed, he broke the contract he had signed when he was hired by the agency.

During the two-day trial, crusty Federal Judge Oren Lewis sided with the CIA. He denied a defense motion for a jury trial, saying there were no facts to settle. He lectured Snepp about his having no right to reveal classified material. When reminded that the case involved no classified material, the judge accused the defense of "dealing in semantics." Lewis' judgment, which Snepp intends to appeal: "I think it was a willful, deliberate and surreptitious breach of contract and the highest public trust. He never said he was doing it, à la the Pentagon papers, to save the country. He did it for the money." Lewis suggested that the proper penalty, which he will announce as part of his written verdict this week, "might be to relieve him of all his ill-gotten gains." ■